IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

TUESDAY, THE 18TH SEPTEMBER 2007 / 27TH BHADRA 1929

WP(C).No. 27686 of 2007(U)

PETITIONER:

T.MOOSA HAJI, THURAKKAL HOUSE,
CHALISSERY PO, PATTAMBI, PALAKKAD DISTRICT.

BY ADV. SRI.MILLU DANDAPANI

RESPONDENTS:
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1. THE SECRETARY,
REGIONAL TRANSPORT AUTHORITY, PALAKKAD.

2. REGIONAL TRANSPORT AUTHORITY,
PALAKKAD, REPRESENTED BY ITS
SECRETARY.

BY GOVERNMENT PLEADER SRI.I.V.PRAMOD

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 18/09/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ANTONY DOMINIC, J.
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W.P.(C) NO. 27686 OF 2007
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Dated this the 18th day of September, 2007

J U D G M E N T

By Ext.P2 order of the 2nd respondent, the application made by the petitioner for regular stage carriage permit has been rejected. The reason for such rejection is that the 2nd respondent had in its meeting held on 21/2/03 decided that stage carriage permit will not be issued to four wheeled vehicles thereafter. This issue was considered by Division Bench of this Court and in Ext.P3 judgment, the Government was directed to consider the issue and take a decision thereon and it is pointed out that the issue is still pending consideration of the Government. In the meantime several similar applications were rejected and the affected parties had approached this court for orders granting them permits. Ext.P4 is a judgment passed by this court in a batch of such cases.

2. Following Ext.P4 judgment, I dispose of this writ petition also directing the 2nd respondent to grant permit to the petitioner provided the application is otherwise in order. The application shall not be rejected for the reason that the vehicle offered is a light motor vehicle. Orders as above shall be passed within a period of six weeks from the date of receipt of a copy of this judgment. However,it is clarified that once Government renders its order pursuant to Ext. P3 judgment, the petitioner will be permitted to operate only subject to the terms of such order.

Writ petition is disposed of as above.

ANTONY DOMINIC, JUDGE.

Rp